

IC 12-30-4

Chapter 4. Placement of Indigent in County Homes and Payment of Indigent Expenses

IC 12-30-4-1

Receipt and support of indigents; contracting with other counties or charitable institutions

Sec. 1. Every county that maintains, in addition to any other charitable institution permitted by law, a county home that provides for the care of indigent individuals as provided by law:

(1) shall receive and support in the county home indigent individuals who:

(A) are lawfully settled in the county; and

(B) placed in the county home by the township trustee as the administrator of poor relief, with the consent of the board of commissioners of the county; or

(2) may contract with other counties or with other charitable institutions located in Indiana for the relief and support of indigent individuals maintained as a public charge of the county, and may levy taxes for that purpose.

As added by P.L.2-1992, SEC.24.

IC 12-30-4-2

Admission of individuals who have become permanent charges on township; temporary placement

Sec. 2. (a) The township trustee as the administrator of poor relief shall periodically provide for the admission to the county home of indigent individuals who have become permanent charges on the township.

(b) Whenever an individual who is determined to be eligible for poor relief and is entitled to temporary relief is in a township in which the individual does not have legal settlement, the township trustee as the administrator of poor relief may place the individual temporarily in the county home.

As added by P.L.2-1992, SEC.24. Amended by P.L.51-1996, SEC.74.

IC 12-30-4-3

Township trustee; investigation of individual; report to county board of commissioners

Sec. 3. The township trustee as the administrator of poor relief shall, when seeking the admission of an individual as a resident of a county home, first investigate the individual and make a report to the board of commissioners of the county. The report must contain the following:

(1) The name of the individual.

(2) The birth place and date of birth of the individual.

(3) The length of time that the individual has been legally settled in the township.

(4) A statement of the health of the individual, which must be certified to by a competent physician.

(5) A statement of the income, property, or property rights of the individual.

(6) A list of the individual's relatives who, in the opinion of the township trustee as the administrator of poor relief, are capable of making contributions for the support of the individual.

As added by P.L.2-1992, SEC.24.

IC 12-30-4-4

Recommendation by township trustee; consideration and investigation by county board of commissioners; terms and conditions of admission; delegation of investigation

Sec. 4. (a) The board of commissioners of the county shall, upon receipt of a recommendation by the township trustee as the administrator of poor relief, immediately consider the recommendation and make further investigation that the board of commissioners considers best. The board of commissioners of the county shall admit the individual on the terms, conditions, and contract that the board of commissioners considers just and fair by requiring the individual sought to be admitted, or other persons or agencies, to pay the money, within the rate lawfully established under section 8 of this chapter, at the times that the board of commissioners considers proper.

(b) The board of commissioners may delegate the investigation to the superintendent of the county home or to other agencies or persons that the board of commissioners considers best. However, the board of commissioners retains the right of determination, subject only to the right of appeal.

As added by P.L.2-1992, SEC.24.

IC 12-30-4-5

Denial of admission; appeal to circuit court

Sec. 5. If a board of commissioners finds that the individual sought to be admitted into the county home or other charitable institution should not, for any cause, be admitted, the individual denied admission, or the township trustee as the administrator of poor relief, may appeal from the decision of the board of commissioners of the county to the circuit court of the county by filing a transcript of the record before the board of commissioners with the clerk of the circuit court of the county, who shall immediately notify the circuit court. The court shall, as soon as possible, proceed to hear and determine the matter. The court may order the board of commissioners to accept the individual in the county home or other charitable institution on the terms and conditions, within the lawfully established rate as provided in section 8 of this chapter, as the court orders.

As added by P.L.2-1992, SEC.24.

IC 12-30-4-6

Temporary admission

Sec. 6. In case of an emergency and pending the decision by the

board of commissioners or the circuit court, an individual sought to be admitted shall be admitted temporarily. If the final determination is made that the individual should not be admitted, the trustee of the township of the individual's legal settlement, as the administrator of poor relief, shall immediately remove the individual from the county home or other charitable institution.

As added by P.L.2-1992, SEC.24.

IC 12-30-4-7

Public assistance recipients; voluntary admission; charge for care and maintenance; modification of welfare payments

Sec. 7. If an individual sought to be admitted to a county home on a voluntary basis upon application to the board of commissioners is a recipient of public assistance from the county or other agencies, the individual may not be deprived of the right to receive welfare or other payments because of the individual's admission to a county home. However, the amount of the welfare payments may be taken into consideration by the board of commissioners in arriving at the amount, within the lawfully established rate as provided in section 8 of this chapter, necessary for the support of the individual sought to be admitted in the county home or other charitable institution. The county office may, in fixing the amount of welfare or other payments for the individual, take into consideration the fact that the individual is placed in the county home or other charitable institution and may modify the amount of the payments as the county office considers proper under Indiana law governing public assistance.

As added by P.L.2-1992, SEC.24. Amended by P.L.4-1993, SEC.227; P.L.5-1993, SEC.240.

IC 12-30-4-8

Charge for care and maintenance of individuals

Sec. 8. The board of commissioners shall, each year at its July meeting, fix an amount to be charged for the care and maintenance of each individual in the county home or other charitable institution. The charge must cover the total amount to be charged for board, room, medical and nursing care, maintenance, clothing, and all other items furnished within the county home. The items shall be made available to all residents and patients on the same basis.

As added by P.L.2-1992, SEC.24.

IC 12-30-4-9

Voluntary residents; ability to pay all or part of costs of care; charges

Sec. 9. In those cases in which facilities are available, the board of commissioners may accept individuals in need of care who are able to pay all or part of the costs of care on a voluntary basis. The board of commissioners of each county maintaining a county home shall periodically determine the reasonable cost of these services and fix charges for each voluntary resident on the basis of the cost of the care and ability of the voluntary resident to pay.

As added by P.L.2-1992, SEC.24.

IC 12-30-4-10

Appropriations; advancement of money to township trustees

Sec. 10. The:

- (1) county council shall appropriate; and
- (2) the board of commissioners in each county shall advance; to the township trustees as the administrators of poor relief the money necessary for the relief and burial of the indigent in each township, which shall be accounted for and repaid to the county treasurer as provided in section 11 of this chapter.

As added by P.L.2-1992, SEC.24.

IC 12-30-4-11

Payments to county; maximum monthly amounts per individual; taxation

Sec. 11. (a) Each township trustee as the administrator of poor relief shall pay to the county the amount fixed for each individual admitted into the county home or other charitable institution from the township, except those otherwise able to pay the cost of their care from their own resources or from other assistance awards. Except as provided in subsection (b), the amount that may be charged to the township may not exceed one hundred dollars (\$100) per month per individual.

(b) This subsection applies to a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000). The amount charged the township per individual may not exceed forty-eight dollars (\$48) per month or twelve dollars (\$12) per week.

(c) Each township shall levy a tax sufficient to meet those expenses.

(d) Payment and settlement shall be made in July and December of each year for the preceding year.

As added by P.L.2-1992, SEC.24.